

103^D CONGRESS
2^D SESSION

H. R. 3979

To amend title 18, United States Code, with respect to certain mandatory minimum sentences.

IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 1994

Mr. SCHUMER (for himself and Mr. HYDE) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, with respect to certain mandatory minimum sentences.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Mandatory Minimum
5 Sentencing Reform Act of 1994”.

6 **SEC. 2. LIMITATION ON APPLICABILITY OF MANDATORY**
7 **MINIMUM PENALTIES IN CERTAIN CASES.**

8 Section 3553 of title 18, United States Code, is
9 amended by adding at the end the following:

1 “(f) LIMITATION ON APPLICABILITY OF STATUTORY
2 MINIMUMS IN CERTAIN CASES.—Notwithstanding any
3 other provision of law, in the case of an offense under sec-
4 tion 401, 404, or 406 of the Controlled Substances Act
5 or section 1010 or 1013 of the Controlled Substances Im-
6 port and Export Act, the court shall impose a sentence
7 pursuant to guidelines established by the United States
8 Sentencing Commission, without regard to any statutory
9 minimum sentence, if the court finds at sentencing that—

10 “(1) the defendant does not have more than 0
11 criminal history points under the United States Sen-
12 tencing Commission Guidelines Manual;

13 “(2) the defendant did not use violence or credi-
14 ble threats of violence or possess a firearm or other
15 dangerous weapon (or induce another participant to
16 do so) in connection with the offense;

17 “(3) the offense did not result in death or seri-
18 ous bodily injury to any person;

19 “(4) the defendant was not an organizer, lead-
20 er, manager, or supervisor of others (as determined
21 under the United States Sentencing Commission
22 Guidelines Manual) in the offense; and

23 “(5) the defendant has provided to the Govern-
24 ment all information the defendant has concerning

- 1 the offense or other criminal conduct related to the
- 2 offense.”.

